ALABAMA DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES MARINE POLICE DIVISION ADMINISTRATIVE CODE

CHAPTER 220-6
BOAT REGISTRATION AND NUMBERING

TABLE OF CONTENTS

220-6-.01	Vessel Identification Numbers
220-6-.02	Applications For Vessel Identification Numbers
220-6-.03	Placement Of Vessel Identification Numbers
220-6-.04	Vessels Used On Private Ponds (Repealed 8/2/95)
220-6-.05	Transfer Of Vessel Ownership
220-6-.06	Boating Accident Reports
220-6-.07	Traffic "Rules Of The Road
220-6-.08	Signal Devices Required
220-6-.09	Navigation Lights Required
220-6-.10	Fire Extinguishers Required
220-6-.11	Personal Flotation Devices Required
220-6-.12	Emergency Shut-Off Switch Required (Repealed (8/2/95)
220-6-.13	Ventilation Requirements
220-6-.14	Horsepower Limitations (Repealed 11/22/04)
220-6-.15	Load Capacity
220-6-.16	Capacity Plate To Be Affixed
220-6-.17	Permit For Marine Events Required
220-6-.18	PFD Required For Skiers
220-6-.19	Aids To Navigation And Regulatory Markers
220-6-.20	PFD To Be Worn Below Dam
220-6-.21	Operator's Age
220-6-.22	Flame Arrestor
220-6-.23	Noise Level Restriction
220-6-.24	Swimming Area At Gulf Shores
220-6-.25	Operating A Vessel Or Other Device While Impaired By Alcohol Or Controlled Substances (Repealed 8/2/95)
220-6-.26	Rearview Mirrors On Personal Watercraft
220-6-.27	Fleeing Or Attempting To Elude Marine Police Officer
220-6-.28	Altering Or Defacing Of Boater Certification (License)
220-6-.29	Point System - Operation Of Vessels
220-6-.30	Examination For Boat Operator’s Certification
220-6-.35	Boater Safety Certification/Vessel Operating Privilege Suspension Period Guidelines - Section 33-5-75(k)

220-6-.36 Idle Speed Zones For Certain Gulf Waters
220-6-.50 Securing Of Marine Sanitation Devices
220-6-.52 Prohibition Of Certain Lights
220-6-.53 Refusal To Submit To Inspection
220-6-.54 Bird Island/Walker Island Vessel Restriction
220-6-.55 Lake Permit Regulation
220-6-.59 Closure To Vessels And Watercraft - Portion Of Gulf Waters Adjacent To Certain Pier
220-6-.60 Disposal Of Trash, Garbage, Or Plastics From A Vessel
220-6-.61 Marine Sanitation Device (MSD) Inspections And Appointment Of Special Agents
220-6-.62 Old River/Rabbit Island Vessel Restrictions
220-6-.63 Three Mile Creek Vessel Restrictions

220-6-.01 Vessel Identification Numbers.

(1) Every vessel identification number issued by the State of Alabama shall be divided into three parts.

(a) The first part shall consist of the capital letters "AL". The second part shall consist of not more than four arabic numerals. The third part shall consist of not more than two capital letters. Each part shall be separated from the other by a hyphen or equivalent space. For example: AL-1234-AA.

(b) The identification numbers issued shall read from left to right and shall be in block characters of good proportion not less than 76 millimeters (three inches) in height and shall be of a color which will contrast with the color of the background, (i.e. dark numbers on light background or light numbers on dark background).

(2) Rule 220-6-.01, as previously promulgated, is hereby expressly repealed in its entirety.
Author: James D. Martin
Statutory Authority: Code of Ala. 1975, §33-5-62; §15 of Act No. 94-652 (Regular Session, 1994).
History: Filed May 9, 1991. **Repealed and Replaced:** Filed June 27, 1995; effective August 2, 1995.

Penalty: As provided by §15 of Act No. 94-652 (Regular Session, 1994) and §33-5-62, Code of Ala. 1975.

Ed. Note: Previous Rule 220-6-.01, Boat Registration and Numbering, repealed in its entirety.

220-6-.02 Applications For Vessel Identification Numbers.

(1) All applications for vessel identification numbers issued under the State of Alabama's system shall include the following information and shall be submitted on forms furnished by the Department of Conservation and Natural Resources, Marine Police Division:

Name of the owner.

Address of the owner, including zip code.

Date of birth of the owner.

State in which vessel is or will be principally used. The number previously issued by an issuing authority for the vessel, if any. Whether the application is for a new number, renewal of a number, or transfer of ownership.

Whether the vessel is used for pleasure, rent or lease, or dealer or manufacturer demonstration commercial passenger carrying commercial fishing, or other commercial use.

Make of vessel.*

Year vessel was manufactured or model year.*

Manufacturer's hull identification number, if manufactured after August 1, 1972.*

Overall length of vessel.* Type of vessel (open, cabin, house, or other).*

Whether the hull is wood, steel, aluminum, fiberglass, plastic or other.*

Whether the propulsion is inboard, outboard, inboard outdrive, auxiliary sail, or sail, and name of engine manufacturer, if available.*#

Whether the fuel is gasoline, diesel, or other.*#

The signature of the owner.

Items marked with * may be omitted on applications submitted by a manufacturer or dealer for a number that is to be temporarily affixed to a vessel for demonstration or test purposes.

Items marked with # may be omitted on applications submitted by a person who intends to lease or rent a vessel without propulsion machinery.

(a) All requirements governing the application for number and certificate of number shall apply to rental boats, except that the description of the motor, if any, and type of fuel will be omitted from the application for number and the certificate of number in every case where the motor is not rented as part of the boat. All applications for rental boats operation will be submitted to the Alabama Marine Police Division. The certificate of number on rental boats shall be plainly marked "Rental Boat."

(b) Any vessel that is rented or leased, must have on board a copy of the lease or rental agreement, signed by the owner or his agent and by the person leasing or renting the vessel, that contains the following:

The vessel number that appears on certificate of number.

The period of time for which the vessel is leased or rented.

Number of persons on board at time of departure from place of rental.

It shall be unlawful to rent or to offer to rend any vessel that is not registered with the Alabama Marine Police Division as a rental vessel.

The certificate of number for vessels less than 8 meters (26 feet) in length and leased or rented to another for the latter's noncommercial use of less than 24 hours may be retained on shore by the vessel's owner or his representative at the place from which the vessel departs or returns to the possession of the owner or his representative.

(c) Bona fide boat dealers or boat manufacturers may procure a dealer's or manufacturer's certificate of number by submitting an application to the Alabama Marine Police Division. The identification number awarded pursuant to such application shall be used by such dealers or manufacturers by having the same placed upon or attached to a removable board or similar object to be temporarily but firmly mounted upon or attached to the vessel being demonstrated.

(d) Applications for number and certificates by boat dealers or boat manufacturers for a dealer's tag shall not require a description of the boat, since the numbers and certificates of number awarded may be transferred from one boat to another. In

lieu of the description the word "manufacturer" or "dealer" as appropriate will be plainly marked on each certificate.

(e) Each certificate of number must contain the following information:

Number issued to the vessel.

Expiration date of the certificate. State of principal use.

Name of the owner.

Address of owner, including zip code.

Whether the vessel is used for pleasure, rent or lease, dealer or manufacturer demonstration, commercial passenger carrying, commercial fishing or other commercial use.

Manufacturer's hull identification number, if manufactured after August 1, 1972.

Make of vessel.

Year vessel was manufactured.

Overall length of vessel.

Whether the vessel is an open boat, cabin cruiser house boat, or other type.

Hull material.

Whether the propulsion is inboard, outboard, inboard outdrive, or sail.

Whether the fuel is gasoline, diesel or other.

(f) Each person using a vessel to which this regulation applies shall present the certificate or lease or rental agreement required by (b), (c) and (e) to any federal, state, or local law enforcement officer for inspection at his request.

(2) Rule 220-6-.02, as previously promulgated, is hereby expressly repealed in its entirety.
Author: James M. Martin
Statutory Authority: Code of Ala. 1975, §33-5-62; §15 of Act No. 94-652 (Regular Session, 1994).
History: Filed May 9, 1991. **Repealed and Replaced:** Filed June 27, 1995; effective August 2, 1995.

Penalty: As provided by §15 of Act No. 94-652 (Regular Session, 1994) and §33-5-62, Code of Ala. 1975.

Ed. Note: Previous Rule 220-6-.02, Boating Accident Reports, repealed in its entirety. New rule (same title) adopted (see Rule 220-6-.06).

220-6-.03 Placement Of Vessel Identification Numbers.

(1) Each person purchasing a vessel identification number shall place said number on each side of the bow of the vessel for which it was purchased in such position as will make it clearly visible at all times.

(a) Such number may be placed on each side of the bow of the vessel by decals or paint. Such number shall be of block characters of good proportion and in no event less than 76 millimeters [(3) inches] in height and properly spaced so as to be easily readable and such paint or decals shall contrast with the color of the background upon which they are placed. Such numbers must at all times be maintained in a legible condition. Marine Police Officers may require the owner of any vessel to repaint or reaffix such numbers when same are, in his judgment, not legible, or are improperly spaced.

(b) Operators of vessels used exclusively for racing are not required to paint or attach the vessels' license number to the bow; provided, however, the number shall be affixed or painted at some other conspicuous position in or on said vessel.

(c) In addition to the number herein required to be placed on each side of the bow of every licensed vessel, the owner shall also be required to place a current-year decal within 151 millimeters (six inches) of the registration number on each side of the vessel at either the beginning or the end of his registration number. Such decals shall be given to the registration purchaser at the time he purchases his annual registration certificate.

(d) It shall be a violation of this regulation to operate or permit a vessel to be operated unless said vessel has attached to each side of the bow said registration number, together with the current-year decals. Only the current-year decal shall be displayed on vessel.

(e) A valid registration number issued to a vessel shall remain with that vessel until the vessel is destroyed, abandoned, or vessel is no longer principally used in the state where the certificate was issued.

(f) The person whose name appears on the certificate of number as the owner of the vessel shall remove the number and validation decal from the vessel when:

The vessel is commercially documented by the USCG. The certificate of number becomes invalid for reasons other than annual expiration. The vessel is no longer principally used in the state where the certificate was issued.

(2) U.S. Coast Guard documented vessels required to be registered under Alabama law shall not be required to display their Alabama registration numbers but shall be required to place their current year decal in a prominent place on the forward half of the vessel on the port and starboard sides.

(3) Rule 220-6-.03, as previously promulgated, is hereby expressly repealed in its entirety.
Author: M. Barnett Lawley
Statutory Authority: Code of Ala. 1975, §33-5-62; §15 of Act No. 94-652 (Regular Session, 1994).
History: Filed May 9, 1991. **Repealed and Replaced:** Filed June 27, 1995; effective August 2, 1995. **Amended:** Filed October 18, 2004; effective November 22, 2004.

Penalty: As provided by §15 of Act No. 94-652 (Regular Session, 1994) and §33-5-62, Code of Ala. 1975.

Ed. Note: Previous Rule 220-6-3, Boating Safety Operations, repealed in its entirety.

220-6-.04 Vessels Used On Private Ponds (Repealed 8/2/95).

(Repealed 8/2/95)
Author: James D. Martin
Statutory Authority: Code of Ala. 1975, §33-5-62; §15 of Act No. 94-652 (Regular Session, 1994).
History: Filed May 9, 1991. **Repealed:** Filed June 27, 1995; effective August 2, 1995.

Penalty: As provided by law.

Ed. Note: Previous Rule 220-6-.04, Regulation of Watercraft in Municipal Swimming Area of the City of Gulf Shores, is now Rule 220-6-.24, Swimming Area At Gulf Shores.

220-6-.05 Transfer Of Vessel Ownership.

(1) The probate judges and license commissioners of the various counties of this state may issue boat transfer certificates, transferring the ownership of a registered boat on forms furnished by the Marine Police Division, Department of Conservation and Natural Resources, providing the boat's last registration record is with the county where application is being made or the applicant presents the registration certificate of the immediate former owner. The probate judges and license commissioners of the various counties of this state may issue replacement certificates to applicants for those lost or destroyed, providing the boat's last registration record is with the county where application is being made and subject boat is currently registered.

(a) The fee for transferring the original registration number to the new owner by issuance of a transfer certificate is $3.00. The fee for issuing replacement certificates for those lost or destroyed is $3.00. The probate judges and license commissioners are entitled to levy an issuing fee of $2.00.

(b) The probate judges and license commissioners will remit to the Department of Conservation and Natural Resources all monies collected (except their levied issuing fee) on the same forms and at the same time as they presently remit collections for the sale of boat registration certificates.

(2) Rule 220-6-.05, as previously promulgated, is hereby expressly repealed in its entirety.
Author: James D. Martin
Statutory Authority: Code of Ala. 1975, §33-5-62; §15 of Act No. 94-652 (Regular Session, 1994).
History: Filed May 9, 1991. **Repealed and Replaced:** Filed June 27, 1995; effective August 2, 1995. **Amended:** Filed March 29, 2010; effective May 3, 2010.

Penalty: As provided by §15 of Act No. 94-652 (Regular Session, 1994) and §33-5-62, Code of Ala. 1975.

220-6-.06 Boating Accident Reports.

(1) Whenever a boating accident results in the (1) loss of life or the disappearance of any person;

(2) injury causing any person to remain incapacitated for a period in excess of a seventy-two (72) hours;

(3) actual damage to any vessel, or to any other property in excess of two thousand dollars ($2,000); the operator of said boat shall submit, within ten (10) days from the date of the accident, to the Department of Conservation and Natural Resources, Marine Police Division, a written report of the said accident on forms furnished by the Department of Conservation and Natural Resources, which report must contain the following:

The numbers and names of each vessel involved.

The name and address of each owner of each vessel involved.

The name of the nearest city or town, the county, the state, and the body of water.

The time and date the casualty or accident occurred.

The location on the water.

The visibility, weather, and water conditions.

The estimated air and water temperatures.

The name, address, age or date of birth, telephone number, vessel operating experience and boating safety training of the operator making the report.

The name and address of each operator of each vessel involved.

The number of persons on board or towed on skis by each vessel.

The name, address, and date of birth of each person injured or killed.

The cause of each death.

Weather forecasts available to, and weather reports used by, the operator before and during the use of the vessel.

The name and address of each owner of property involved.

The availability and use of personal flotation devices.

The type and amount of each fire extinguisher used.

The nature and extent of each injury.

A description of all property damage and vessel damage with an estimate of the cost of all repairs.

A description of each equipment failure that caused or contributed to the cause of the casualty.

A description of the vessel casualty or accident.

The type of vessel operation (cruising, drifting, fishing, hunting, skiing, racing, or other), and the type of accident (capsizing, sinking, fire, or explosion or other).

The opinion of the person making the report as to the cause of the casualty.

The make, model, type (open, cabin, house, or other), beam width at widest point, length, depth from transom to keel, horsepower, propulsion (outboard, inboard, inboard outdrive, sail, or other), fuel (gas, diesel or other), construction (wood, steel, aluminum, plastic, fiberglass, or other), and year built (model year), of the reporting operator's vessel.

The name, address, and telephone number of each witness.

The manufacturer's hull identification number (HIN), or serial number if no HIN is affixed, of the reporting operator's vessel. The name, address, and telephone number of the person submitting the report.

(a) For the purpose of this regulation a "boat accident" means a collision, accident, or other casualty which occurs to, or is caused by, or in any other way, involves a vessel while being operated on the waters of this state.

(b) A vessel shall be considered to be involved in a "boat accident" whenever the occurrence results in damage by or to the vessel or its equipment; any injury or loss of life to any person or in the disappearance of any person resulting from the accident under circumstances which indicate the possibility of death or injury.

(2) This regulation shall be applicable to all vessels, except commercially documented vessels, which are within the jurisdiction of this state at the time of the accident, and to all vessels carrying Alabama registration numbers, regardless of where the accident occurs.

(3) Nothing in this regulation should be so construed as to show intent to excuse any vessel licensed by the State of Alabama which is involved in a boating accident in another state from complying with any laws or regulations of such other state regarding reports of boating accidents within the state. The necessity of reporting the accident to the officials of another state shall not exonerate or excuse any failure to file a report in the State of Alabama as herein required.

(4) The provisions of this regulation shall apply to all vessels operated on the waters of this state, except vessels commercially documented by the federal government, and regardless of whether or

not the vessel involved in an accident is registered or required to be registered under Alabama law.

(5) Rule 220-6-.06, as previously promulgated, is hereby expressly repealed in its entirety.
Author: James D. Martin
Statutory Authority: Code of Ala. 1975, §33-5-62; §15 of Act No. 94-652 (Regular Session, 1994).
History: Filed May 9, 1991. **Repealed and Replaced:** Filed June 27, 1995; effective August 2, 1995. **Amended:** Filed March 29, 2010; effective May 3, 2010.

Penalty: As provided by §15 of Act No. 94-652 (Regular Session, 1994) and §33-5-62, Code of Ala. 1975.

220-6-.07 Traffic "Rules Of The Road.

"

(1) The water traffic "Rules of the Road" in the State of Alabama shall be as follows:

(a) Vessels passing head-on shall keep to the right.

(b) Vessels overtaking another vessel may do so on either side, but must grant the right-of-way to the vessel being overtaken.

(c) When vessels are passing at right angles, the vessel on the left will yield right-of-way to vessel on the right.

(d) Motor boats shall yield right-of-way to non-motor powered boats except as follows:

1. When being overtaken by non-powered vessels.

2. For deep draft vessels that have to remain in narrow channels.

3. When vessel is towing another vessel.

(e) Motor boats must maintain a direct course when passing sail boats.

(f) Any vessel approaching a landing dock or pier shall yield the right-of-way to any departing vessel.

(g) Any vessel departing shoreline or tributary shall yield right-of-way to through traffic and vessels approaching shoreline or tributary.

(h) Vessels will not abruptly change course without first determining that it can be safely done without risk of collision with another vessel.

(i) If an operator fails to fully understand course of an approaching vessel he must slow down immediately to a speed barely sufficient for steerageway until the other vessel has passed.

(j) Vessels yielding right-of-way shall reduce speed, stop, reverse, or alter course to avoid collision. Vessel with right-of-way shall hold course and speed. If there is danger of collision, all vessels will slow down, stop, or reverse until danger is averted.

(k) Vessels will issue warning signals in fog or inclement weather.

(l) No mechanically propelled vessel shall be operated in a circular course around any other vessel or any person swimming.

(m) In narrow channel, vessels will keep to the right of mid-channel.

(n) Vessels approaching or passing another vessel shall be operated in such manner and at such rate of speed as will not create a hazardous wash or wake.

(o) No vessel shall obstruct or interfere with take-off, landing, or taxiing of aircraft.

(p) All vessels shall be operated at reasonable speeds for given situations and must be under the complete control of the operator at all times.

(q) No vessel or person shall obstruct or block navigation channel, entrance to channel, mooring slip, landing dock, launching ramp, pier or tributary.

(r) Vessels shall keep at least 30.5 meters (100 feet) clearance of displayed diver's flag.

(s) Operator must maintain a proper lookout.

(2) Rule 220-6-.07, as previously promulgated, is hereby expressly repealed in its entirety.

Author: James D. Martin
Statutory Authority: Code of Ala. 1975, §33-5-62; §15 of Act No. 94-652 (Regular Session, 1994).
History: Filed May 9, 1991. **Repealed and Replaced:** Filed June 27, 1995; effective August 2, 1995.

Penalty: As provided by §15 of Act No. 94-652 (Regular Session, 1994) and §33-5-62, Code of Ala. 1975.

220-6-.08 Signal Devices Required.

(1) All vessels as hereinafter designated shall be equipped with signal devices for use during night-time operation (sunset to sunrise) and during inclement weather where visibility is greatly reduced.

(a) All vessels 4.9 meters [(16) feet] in length but less than 8 meters [(26) feet] are required to be equipped with an efficient whistle or other sound-producing mechanical device, whether operated by hand or power, capable of producing a blast of two seconds or more duration and audible for at least .8 kilometers (one-half mile).

(b) All vessels 8 meters [(26) feet] in length but not exceeding 12.2 meters [(40) feet] are required to be equipped with an efficient whistle or other sound-producing mechanical device, hand or power operated, capable of producing a blast of two seconds or more duration and audible for a distance of at least 1.6 kilometers (one mile).

(c) All vessels exceeding 12.2 meters [(40) feet] in length shall be equipped with an efficient whistle or similar device, power operated, capable of producing a blast of two seconds or more duration and audible for a distance of at least 1.6 kilometers (one mile).

(d) Nothing in this regulation shall be so construed as exempting a vessel from any further sound signal devices which may be required by the United States Coast Guard or other governmental agency when operating on the navigable waters of this state.

(2) Rule 220-6-.08, as previously promulgated, is hereby expressly repealed in its entirety
Author: James D. Martin
Statutory Authority: Code of Ala. 1975, §33-5-62; §15 of Act No. 94-652 (Regular Session, 1994).
History: Filed May 9, 1991. **Repealed and Replaced:** Filed June 27, 1995; effective August 2, 1995.

Penalty: As provided by §15 of Act No. 94-652 (Regular Session, 1994) and §33-5-62, Code of Ala. 1975.

220-6-.09 Navigation Lights Required.

(1) The following designated vessels shall be required to display, when under way between sunset and sunrise, and also between sunrise and sunset in restricted disability the following specific lights:

(a) Manually propelled vessels less than 7 meters [(23) feet] in length shall have readily at hand a lantern or flashlight showing a white light which shall be temporarily exhibited by the operator in sufficient time to prevent collision.

(b) All mechanically propelled vessels, and combination sail and power vessels when under power, less than 12 meters (39.4 feet) in length shall have one combination light in the fore part of vessel showing red to port and green to starboard from dead ahead to 112.5 degrees on each side (225 degrees combination), visible at least 1.6 kilometers (one mile), along with either one bright, white light at the stern showing all around the horizon (360 degrees), or a masthead light placed as nearly as practicable to the fore and aft centerline of the vessel showing an unbroken light over an arc of the horizon of 225 degrees and so fixed as to show the light from dead ahead to 112.5 degrees on both sides of the vessel in addition to a stern light placed as nearly as practicable at the stern showing an unbroken white light over an arc of the horizon of 135 degrees and so fixed as to show the light 67.5 degrees on each side of the vessel, visible at least 3.2 kilometers (two miles). All around white lights and masthead lights stipulated in this paragraph (b) shall be carried at least one (1) meter (3.28 feet) higher than sidelights or red and green combination lights.

(c) Mechanically propelled vessels, and combination sail and power vessels when under power, that are 12 meters (39.4 feet) in length but less than 20 meters (65.6 feet) in length shall have on the port side, properly screened, a red light which shall show from dead ahead to 112.5 degrees on that side, visible at least 3.2 kilometers (two miles); and on the starboard side, properly screened, a green light which shall show from dead ahead to 112.5 degrees on that side, visible at least 3.2 kilometers (two miles); or one combination light in the fore port of the vessel showing red to port and green to starboard from dead ahead to 112.5 degrees on each side (225 degrees combination), visible at least 3.2 kilometers (two miles); one white masthead light placed over the fore and aft centerline of the vessel showing an unbroken light over an arc of the horizon of 225 degrees and so fixed as to show the light from dead ahead to 112.5 degrees on both sides of the vessel, visible at east 4.8 kilometers (three miles) along

with a stern light placed as nearly as practicable at the stern showing an unbroken white light over an arc of the horizon of 135 degrees and so fixed as to show the light 67.5 degrees on each side of the vessel visible at least 3.2 kilometers (two miles).

(d) Sail vessels under sail only, less than 20 meters (65.6 feet) in length shall have one of the following light configurations:

(1) One combination light forward showing red and green lights over 225 degrees with red to port and green to starboard, together with a 135 degree white light at the stern all of which will be visible at least 3.2 kilometers (two miles).

(2) One properly screened red light on the port side showing from dead ahead to 112.5 degrees on that side, visible at least 3.2 kilometers (two miles), and one properly screened green light on the starboard side showing from dead ahead to 112.5 degrees on that side, visible at least 3.2 kilometers (two miles) and on the stern a 135 degree white light visible astern for at least 3.2 kilometers (two miles).

(3) One combination lantern with red to port, green to starboard and white to the stern carried at or near the top of the mast where it can best be seen, visible at least 3.2 kilometers (two miles).

(e) All vessels of whatever description or size when anchored on the waters of this state shall carry and display a steady white light showing all around the horizon (360 degrees), visible at least 3.2 kilometers (two miles), as a warning signal to avert collisions.

(2) The lights required above may also be displayed in any other circumstances when it is deemed necessary by the operator.

(3) Rule 220-6-.09, as previously promulgated, is hereby expressly repealed in its entirety.

Author: James D. Martin

Statutory Authority: Code of Ala. 1975, §33-5-62; §15 of Act No. 94-652 (Regular Session, 1994).

History: Filed May 9, 1991. **Repealed and Replaced:** Filed June 27, 1995; effective August 2, 1995. **Amended:** Filed March 14, 2003; effective April 18, 2003.

Penalty: As provided by §15 of Act No. 94-652 (Regular Session, 1994) and §33-5-62, Code of Ala. 1975.

220-6-.10 Fire Extinguishers Required.

(1) All vessels hereinafter designated shall be equipped with fire extinguisher equipment which shall be kept in such a workable condition and location as to make it available for immediate and effective use when the vessel is occupied.

(a) All inboard and inboard/outboard motor vessels, regardless of size, shall have a hand portable fire extinguisher or semi-portable fire extinguisher using carbon dioxide (CO2), foam, halon or other chemical ingredient such as is commonly used for extinguishing gasoline fires or petroleum product fires. Such fire extinguisher shall be approved by the U. S. Coast Guard.

(b) All vessels equipped with any butane gas, propane gas, kerosene, gasoline or petroleum product consuming device, except outboard motors, shall have a hand portable fire extinguisher or semi-portable fire extinguisher using carbon dioxide (CO2), foam, halon or other chemical ingredient such as is commonly used for extinguishing a fire produced by the use of such device. Such fire extinguisher shall be approved by the U. S. Coast Guard.

(c) All motor vessels having closed or semi-closed cabins and any vessel with sleeping accommodations shall have a hand portable fire extinguisher or semi-portable fire extinguisher using carbon dioxide (CO2), foam, halon or other chemical ingredient such as is commonly used for extinguishing fires. Such fire extinguisher shall be approved by the U. S. Coast Guard.

(d) All motor vessels having closed compartments wherein portable fuel tanks are stored or having permanently installed fuel tanks shall have a hand portable or semi- portable fire extinguisher approved by the U. S. Coast Guard.

(e) Vessels requiring fire extinguishers shall carry at least the minimum number of hand portable or semi-portable fire extinguishers as follows:

Vessels Without Fixed Ext. System In Machinery Space

CLASS OF MOTOR BOAT	FOAM (Min. Liters)	CARBON DIOXIDE (Min. Kilograms)	DRY CHEMICAL (Min. Kilograms)	HALON (Min. Kilograms)
1-Less than 4.9 meters (16 ft.)	4.2 L(1 1/4 gal)	1.8 kg(4 lbs)	.9 kg(2 lbs)	1.1 kg(2 1/2 lbs)
2-4.9 meters (16 ft.)	4.2 L(1 1/4 gal)	1.8 kg(4 lbs)	.9 kg(2 l lbs)	1.1 kg(2 1/2 lbs)

but less than 8 meters 26 ft.)				
3-8 meters (26 ft.) but less than 12.2 meters (40 ft.)	9.5 L(2 1/2 gal)	3.6 kg(8 lbs)	1.8 kg(4 lbs)	2.3 kg(5 lbs)
4-(12.2 meters (40 ft.) and Over)	14 L(3 3/4 gal)	5.4 kg(12 lbs)	2.7 kg(6 lbs)	3.4 kg(7 1/2 lbs)

Vessels With Fixed Ext. System In Machinery Space

1-Less than 4.9 meters (16 ft.)	None	None	None	None
2-4.9 meters (16 ft.) but less than 8 meters (26 ft.)	None	None	None	None
3-8 meters (26 ft.) but less than 12.2 meters (40 ft.)	4.2 L(1 1/4 gal)	1.8 kg(4 lbs)	.9 kg(2 lbs)	1.1 kg(2 1/2 lbs)
4-(12.2 meters (40 ft.) and Over)	9.5 L(2 1/2 gal)	3.6 kg(8 lbs)	1.8 kg(4 lbs)	2.3 kg(5 lbs)

(2) Rule 220-6-.10, a previously promulgated, is hereby expressly repealed in its entirety.
Author: James D. Martin
Statutory Authority: Code of Ala. 1975, §33-5-62; §15 of Act No. 94-652 (Regular Session, 1994).
History: Filed May 9, 1991. **Repealed and Replaced:** Filed June 27, 1995; effective August 2, 1995.

Penalty: As provided by §15 of Act No. 94-652 (Regular Session, 1994) and §33-5-62, Code of Ala. 1975.

220-6-.11 Personal Flotation Devices Required.

(1) Every vessel operated on the waters of this state is required to have on board at least one U. S. Coast Guard approved personal flotation device (PFD) for each occupant aboard the vessel as specified below:

Class I less than 4.9 meters (16 feet): a Type I, II, or III.

Class II 4.9 meters (16 feet) but less than 8 meters (26 feet): a Type I, II, or III.

Class III 8 meters (26 feet) but less than 12.2 meters (40 feet): a Type I, II, or III.

Class IV 12.2 meters (40 feet) and over: a Type I, II, or III.

(a) A type V (hybrid) PFD may be carried in lieu of any PFD required in 220-6-.11, paragraph (1) if that Type V PFD is U.S. Coast Guard approved for the activity in which the recreational boat is being used, and if it is worn while underway in open boats and when not within an enclosed space on larger boats. The Type V (hybrid) PFD must be U.S. Coast Guard approved and labeled for use on recreational boats.

(b) In addition to the above requirements for personal flotation devices, all recreational boats 4.9 meters (16 feet) and over in length operated on the waters of this state shall carry at least one Type IV PFD (cushion or ring buoy) as a throwable device.

(c) All required PFD’s must be placed or stored on the vessel in such manner as to be readily available for use in case of emergency.

(d) PFD’s that are torn, rotted, or damaged lose their U.S. Coast Guard approval.

(e) All PFD’s shall be proper size for occupants on board.

(f) The Department of Conservation and Natural Resources, through its enforcement officers, shall have the right to inspect any required safety equipment aboard any vessel operated on the waters of this state or any safety equipment offered for rent.

(g) Any safety equipment found to be in an unserviceable condition may be stamped or marked as unserviceable equipment and its use prohibited.

(h) Nothing in this regulation shall be interpreted so as to mean that stamping or marking shall be a prerequisite for prosecuting a person who violates any provision of this regulation.

(2) Rule 220-6-.11, as previously promulgated, is hereby expressly repealed in its entirety.
Author: James D. Martin
Statutory Authority: Code of Ala. 1975, §33-5-62; §15 of Act No. 94-652 (Regular Session, 1994).
History: Filed May 9, 1991. **Repealed and Replaced:** Filed June 27, 1995; effective August 2, 1995.

Penalty: As provided by §15 of Act No. 94-652 (Regular Session, 1994) and §33-5-62, Code of Ala. 1975.

220-6-.12 Emergency Shut-Off Switch Required (Repealed (8/2/95).

(Repealed 8/2/95)
Author: James D. Martin
Statutory Authority: Code of Ala. 1975, §33-5-62; §15 of Act No. 94-652 (Regular Session, 1994).
History: Filed May 9, 1991. **Repealed:** Filed June 27, 1995; effective August 2, 1995.

220-6-.13 Ventilation Requirements.

(1) Every motor boat except those of open construction using as fuel any inflammable or toxic fluid in any enclosure shall be provided with an efficient natural or mechanical ventilation system which is capable of removing inflammable or explosive gases.

(2) Rule 220-6-.13, as previously promulgated, is hereby expressly repealed in its entirety.
Author: James D. Martin
Statutory Authority: Code of Ala. 1975, §33-5-62; §15 of Act No. 94-652 (Regular Session, 1994).
History: Filed May 9, 1991. **Repealed and Replaced:** Filed June 27, 1995; effective August 2, 1995.

Penalty: As provided by §15 of Act No. 94-652 (Regular Session, 1994) and §33-5-62, Code of Ala. 1975.

220-6-.14 Horsepower Limitations (Repealed 11/22/04).

(Repealed 11/22/04)
Author: M. Barnett Lawley
Statutory Authority: Code of Ala. 1975, §33-5-62; §15 of Act No. 94-652 (Regular Session, 1994).
History: Filed May 9, 1991. **Repealed and Replaced:** Filed June 27, 1995; effective August 2, 1995. **Repealed:** Filed October 18, 2004; effective November 22, 2004.

Penalty: As provided by §15 of Act No. 94-652 (Regular Session, 1994) and §33-5-62, Code of Ala. 1975.

220-6-.15 Load Capacity.

(1) No vessel shall be loaded beyond its safe carrying capacity, taking into consideration weather and existing operating conditions.

(2) Rule 220-6-.15, as previously promulgated, is hereby expressly repealed in its entirety.
Author: James D. Martin
Statutory Authority: Code of Ala. 1975, §33-5-62; §15 of Act No. 94-652 (Regular Session, 1994).
History: Filed May 9, 1991. **Repealed and Replaced:** Filed June 27, 1995; effective August 2, 1995.

Penalty: As provided by §15 of Act No. 94-652 (Regular Session, 1994) and §33-5-62, Code of Ala. 1975.

220-6-.16 Capacity Plate To Be Affixed.

(1) No manufacturer shall offer for sale any vessel without a capacity plate affixed permanently thereto as specified by U. S. Coast Guard standards.

(2) Rule 220-6-.16, as previously promulgated, is hereby expressly repealed in its entirety.
Author: M. Barnett Lawley
Statutory Authority: Code of Ala. 1975, §33-5-62; §15 of Act No. 94-652 (Regular Session, 1994).
History: Filed May 9, 1991. **Repealed and Replaced:** Filed June 27, 1995; effective August 2, 1995. **Amended:** Filed October 18, 2004; effective November 22, 2004.

Penalty: As provided by §15 of Act No. 94-652 (Regular Session, 1994) and §33-5-62, Code of Ala. 1975.

220-6-.17 Permit For Marine Events Required.

(1) No person, organization, or association shall sponsor or hold any marine regatta, race, trial runs, parade, tournament or exhibition that interferes with marine traffic or creates a potential safety hazard until said event has been approved either by the Marine Police Division, Department of Conservation and Natural Resources, or the United States Coast Guard.

(a) Any person, organization or association desiring to hold or sponsor such regatta, race, trial runs, parade, tournament or exhibition on the waters of this state which are navigable waters of the United States and on which the United States Coast Guard maintains aids to navigation and which area is normally used for commercial traffic or navigation shall make application for such event to the Marine Police Division and to the responsible Coast Guard district under such rules as that agency prescribes.

(b) Any person, organization or association desiring to hold or sponsor such regatta, race, trail runs, parade, tournament or exhibition on the waters of this state other than those waters described in subparagraph (1)(a) hereof shall make written application for such event to the Marine Police Division of the Department of Conservation and Natural Resources on forms provided by said division which application must be submitted at least fifteen (15) days before the date of the proposed event. Upon approval by the Marine Police Division of the said marine event application, a written permit shall be issued to the applicant.

(2) Rule 220-6-.17, as previously promulgated, is hereby expressly repealed in its entirety.
Author: M. Barnett Lawley
Statutory Authority: Code of Ala. 1975, §33-5-62; §15 of Act No. 94-652 (Regular Session, 1994).
History: Filed May 9, 1991. **Repealed and Replaced:** Filed June 27, 1995; effective August 2, 1995. **Amended:** Filed June 16, 2003; effective July 20, 2003.

Penalty: As provided by §15 of Act No. 94-652 (Regular Session, 1994) and §33-5-62, Code of Ala. 1975.

220-6-.18 PFD Required For Skiers.

(1) No person shall operate or give permission to operate any vessel on the waters of this state towing a person or persons on water skis, surfboard, spinners, or other similar devices unless such person or persons being towed are wearing a type I, II, III or V U.S. Coast Guard approved personal flotation device (PFD).

(2) No person shall engage in that certain aquatic sport known as water skiing, including the use of surfboards, discs, spinners, tubes, or other similar devices, without wearing a type I, II, III or V U.S. Coast Guard approved PFD.

(3) Any person being towed on skis, aquaplane, surfboard, spinner, tubes, or other similar devices shall be considered an occupant of the towing vessel.

(4) The provisions of this regulation shall not apply to any person performing in a marine exhibition or tournament officially recognized by the Department of Conservation and Natural Resources or the United States Coast Guard.

(5) Rule 220-6-.18, as previously promulgated, is hereby expressly repealed in its entirety.
Author: James D. Martin
Statutory Authority: Code of Ala. 1975, §33-5-62; §15 of Act No. 94-652 (Regular Session, 1994).
History: Filed May 9, 1991. **Repealed and Replaced:** Filed June 27, 1995; effective August 2, 1995.

Penalty: As provided by §15 of Act No. 94-652 (Regular Session, 1994) and §33-5-62, Code of Ala. 1975.

220-6-.19 Aids To Navigation And Regulatory Markers.

(1) Whenever the Director of the Marine Police Division of the Department of Conservation and Natural Resources shall determine that, in the interests of public safety, it is necessary to restrict the speed of boats or boating activities on, or prohibit entrance of boats into, certain areas of the waters of this state, or otherwise regulate or prohibit the use of boats or water skis (including all devices similar to water skis), in such areas, he shall designate such restricted areas by appropriate signs, which signs shall be as follows:

A symbol of a diamond shape with a cross within the diamond, colored international orange on a white background, shall mean "Boats Keep Out."

A symbol of a circle shape, colored international orange on white background, designates a controlled or prohibited boating activity such as, limiting the speed of a vessel, prohibiting fishing or skiing or swimming, etc. In most instances, lettering will be placed in the center of said circle designating the prohibited or controlled boating activity.

Provided that whenever said restriction affects the interests of another division of the Department of Conservation and Natural Resources, the director of the division affected shall be consulted by the Director of the Marine Police Division and an agreement reached before the restriction becomes effective. If no agreement on the restriction is reached, the Commissioner of Conservation and Natural Resources shall resolve the difference.

(2) It shall be unlawful for any person, firm or corporation to place or maintain any regulatory markers (signs or buoys) on the public waters of this state without first having received permission for the erection of such regulatory markers from the Marine Police Division of the Department of Conservation and Natural Resources. When permission for the erection of such markers is given, same may only be of a standard type and with standard lettering and colors which shall be specified and designated by the Marine Police Division of the Department of Conservation and Natural Resources. Any person, firm or corporation desiring to place or erect regulatory markers on the public waters of this state must first make application to the Marine Police Division for permission. Upon receipt of such application, the Marine Police Division shall notify such applicant or applicants of the necessary specifications for regulatory markers of the type desired and if permission for the erection and placing of markers is granted to the applicant, same must comply with the specifications as provided by the Marine Police Division.

(3) The diver's flag shall not be less than 300 millimeters (12 inches) square, colored red with a white two-inch strip running diagonally from the top staff corner to the bottom fly corner and shall be prominently displayed and visible from all directions and kept within a 15.2 meters (50 foot) radius of divers when said divers are in the water.

(4) It shall be unlawful to fail to comply with any restrictive sign, buoy, or marker as approved by the Director of the Alabama Marine Police Division.

(5) In addition to the restrictions provided for in Section 33-5-74, Code of Ala. 1975, it shall be unlawful for any person to attach to any authorized navigational buoy or sign/sign piling, a line of any other type than is provided for in Section 33-5-74, to include but not be limited to: trot lines, nets, fishing line, or any signs.

(6) Nothing in this regulation shall be interpreted so as to mean that signs or markers shall be a prerequisite for prosecuting a person who violates any other provisions of law or any other rule or regulation.

(7) Rule 220-6-.19, as previously promulgated, is hereby expressly repealed in its entirety.
Author: James D. Martin
Statutory Authority: Code of Ala. 1975, §§33-5-62, 33-5-73; §§15 and 27 of Act No. 94-652 (Regular Session, 1994).
History: Filed May 9, 1991. **Repealed and Replaced:** Filed June 27, 1995; effective August 2, 1995. **Amended:** Filed August 10, 2006; effective September 14, 2006.

Penalty: As provided by §§15 and 27 of Act No. 94-652 (Regular Session, 1994) and §§33-5-62 and 33-5-73, Code of Ala. 1975.

220-6-.20 PFD To Be Worn Below Dam.

(1) It shall be unlawful for any person to operate any vessel on the waters of this state within 244 meters (800 feet) below a hydroelectric dam and/or navigation lock and dam unless each person aboard, including the operator, is wearing a U. S. Coast Guard approved personal flotation device Type I, Type II, Type III, or Type V.

(a) Such personal flotation device will be worn and securely fastened in accordance with manufacturers instructions and recommendations for such personal flotation device.

(b) This regulation is not intended to affect regulations promulgated by other governmental agencies, federal or state, related to activities that may or may not be conducted within 244 meters (800 feet) of such dams.

(2) Rule 220-6-.20, is previously promulgated, as hereby expressly repealed in its entirety.
Author: James D. Martin
Statutory Authority: Code of Ala. 1975, §33-5-62; §15 of Act No. 94-652 (Regular Session 1994).
History: Filed May 9, 1991. **Repealed and Replaced:** Filed June 27, 1995; effective August 2, 1995.

Penalty: As provided by §15 of Act No. 94-652 (Regular Session, 1994) and §33-5-62, Code of Ala. 1975.

220-6-.21 Operator's Age.

(1) No person owning or having control of a mechanically propelled vessel shall permit any person under the age of twelve (12) years to operate said vessel on the waters of this state.

(a) The provisions of this regulation shall not apply to any person operating a vessel under the age of twelve (12) years in a Department of Conservation and Natural Resources or United States Coast Guard officially recognized marine event, provided a written permit has been issued by the Commissioner.

Author: James D. Martin
Statutory Authority: Code of Ala. 1975, §15 of Act 94-652 (Regular Session, 1994).
History: Filed May 9, 1991. **Amended:** Filed September 13, 1994; effective October 19, 1994.

Penalty: As provided by law.

220-6-.22 Flame Arrestor.

(1) Every motor boat using gasoline as fuel except outboard motors shall have the carburetor or carburetors of every engine therein equipped with a United States Coast Guard approved flame arrestor or backfire trap.

(2) Rule 220-6-.22, as previously promulgated, is hereby expressly repealed in its entirety.
Author: James D. Martin
Statutory Authority: Code of Ala. 1975, §33-5-62; §15 of Act No. 94-652 (Regular Session, 1994).
History: Filed May 9, 1991. **Repealed and Replaced:** Filed June 27, 1995; effective August 2, 1995.

Penalty: As provided by §15 of Act No. 94-652 (Regular Session, 1994) and §33-5-62, Code of Ala. 1975.

220-6-.23 Noise Level Restriction.

(1) It shall be unlawful for any person to operate or give permission to operate any vessel powered by an engine or outboard motor on the waters of this state in such a manner as to exceed a noise level of 86 decibels as measured by the Society of Automotive Engineers (SAE) Stationary Sound Level Measurement Procedure SAE-J-2005 or as measured by the Society of Automotive

Engineer (SAE) Shoreline Sound Level Measurement Procedure SAE J-1970.

(a) It shall be a violation of this regulation for any person reasonably suspected by a Marine Policeman or other authorized law enforcement officer to be operating a vessel that exceeds the noise limitation prescribed herein to refuse to submit his vessel for a noise emission test.

(b) The provisions of this regulation shall not apply to vessels competing in a regatta, boat race or speed trial run provided that such regatta, race or speed trial has been officially approved by the Marine Police Division or United States Coast Guard and is being conducted during the time and in the designated area authorized by the permit.

(2) Rule 220-6-.23, as previously promulgated, is hereby expressly repealed in its entirety.
Author: James D. Martin
Statutory Authority: Code of Ala. 1975, §33-5-62; §15 of Act No. 94-652 (Regular Session, 1994).
History: Filed May 9, 1991. **Repealed and Replaced:** Filed June 27, 1995; effective August 2, 1995. **Amended:** Filed August 10, 2006; effective September 14, 2006.

Penalty: As provided by §15 of Act No. 94-652 (Regular Session, 1994) and §33-5-62, Code of Ala. 1975.

220-6-.24 Swimming Area At Gulf Shores.

(1) For the purposes of this regulation, the Municipal Swimming Area of the City of Gulf Shores is defined as that portion of the Gulf of Mexico bounded on the north by the main public beach area of the City of Gulf Shores at the intersection of State Highway 59 and State Highway 182 and bounded on the south by a line running parallel to the mean high tide line along said beach area at a distance of 122 meters (400 feet) from the mean high tide or at such lesser distance from the mean high tide line as the City of Gulf Shores may designate from day-to-day by means of buoys or other markers.

(2) Except as provided in paragraph (3) below, during the period from March 1 through October 31 of each year, no person shall operate a vessel, sailboard, surfboard, windsurfer, water skis, aquaplane, paddleboat or other watercraft in the Municipal Swimming Area of the City of Gulf Shores at any time during the hours from sunrise to one hour after sunset.

(3) This regulation shall not apply to officers and agents of the United States, the State of Alabama, Baldwin County, or the City of Gulf Shores when acting in the line and scope of their duty in

the implementation or enforcement of federal, state, or local laws and regulations.

(4) Rule 220-6-.24, as previously promulgated, is hereby expressly repealed in its entirety.
Author: James D. Martin
Statutory Authority: Code of Ala. 1975, §33-5-62; §15 of Act No. 94-652, (Regular Session, 1994).
History: Filed June 23, 1986. **Repealed and Readopted:** Filed May 9, 1991. **Repealed and Replaced:** Filed June 27, 1995; effective August 2, 1995.

Penalty: As provided by §15 of Act No. 94-652 (Regular Session, 1994) and §33-5-62, Code of Ala. 1975.

220-6-.25 Operating A Vessel Or Other Device While Impaired By Alcohol Or Controlled Substances (Repealed 8/2/95).

(Repealed 8/2/95)
Author: James D. Martin
Statutory Authority: Code of Ala. 1975, §33-5-62; §15 of Act No. 94-652, (Regular Session 1994).
History: Effective September 16, 1992. **Repealed:** Filed June 27, 1995; effective August 2, 1995.

220-6-.26 Rearview Mirrors On Personal Watercraft.

(a) The specifications for rearview mirrors on personal watercraft used for towing any person shall be as follows: Each mirror shall contain a minimum viewing area size of 65 square centimeters [ten (10) square inches], a minimum viewing area height of 64 millimeters [2.5 inches], and a minimum viewing area width of 100 millimeters [4.0 inches]. Said mirrors shall be mounted or attached on both the right and left sides of the personal watercraft so as to provide the maximum reward observation by the operator. Mirrors shall not be mounted or attached to the steering mechanism of the personal watercraft. The minimum combined viewing area of both mirrors shall be 130 square centimeters [twenty (20) square inches].

(b) It shall be a violation of §4(g) of Act No. 94-652 (Regular Session, 1994) and Section 33-5-62, Code of Ala. 1975, to tow any person by personal watercraft unless said watercraft meets all of these specifications.
Author:
Statutory Authority: Code of Ala. 1975, §33-5-62; §15 of Act No. 94-652 (Regular Session, 1994).

History: New Rule: Filed September 13, 1994; effective October 19, 1994. **Amended:** Filed June 27, 1995; effective August 2, 1995.

220-6-.27 Fleeing Or Attempting To Elude Marine Police Officer.

(1) Any driver of a vessel who willfully fails or refuses to bring his vessel to a stop, or who otherwise flees or attempts to elude a pursuing marine police officer, when given a visual or audible signal to bring the vessel to a stop, shall be in violation of this regulation. The signal given by the Marine Police officer may be by hand, voice, emergency light or siren.

(2) The penalty for the violation of this regulation shall be as provided in §15 of Act No. 94-652 (Regular Session, 1994) and §33-5-62, Code of Ala. 1975. In addition, any person convicted of violating this regulation shall be subject to the suspension provisions of §29 of Act No. 94-652 (Regular Session, 1994) and §33-5-75, Code of Ala. 1975.
Author: James D. Martin
Statutory Authority: Code of Ala. 1975, §33-5-62; §15 of Act No. 94-652 (Regular Session, 1994).
History: New Rule: Filed July 11, 1995; effective August 16, 1995.

Penalty: As provided by §§15 and 29 of Act No. 94-652 (Regular Session, 1994) and §§33-5-62 and 33-5-75, Code of Ala. 1975.

220-6-.28 Altering Or Defacing Of Boater Certification (License).

(1) Any person who willfully or knowingly alters or defaces a boater certification (license) shall be in violation of this regulation.

(2) The penalty for the violation of this regulation shall be as provided in §15 of Act No. 94-652 (Regular Session, 1994) and §33-5-62, Code of Ala. 1975.
Author: James D. Martin
Statutory Authority: Code of Ala. 1975, §33-5-62; §15 of Act No. 94-652 (Regular Session, 1994).
History: New Rule Filed July 11, 1995; effective August 16, 1995.

Penalty: As provided by §15 of Act No. 94-652 (Regular Session, 1994) and §33-5-62, Code of Ala. 1975.

220-6-.29 Point System - Operation Of Vessels.

(a) The following point system is hereby established for various violations of the Alabama boating safety laws and regulations; points shall be assessed for various violations as follows:

(1) Any conviction which resulted from a charge that involved the drinking of alcoholic beverages and the operation of a vessel but does not require mandatory suspension or revocation of the boater safety certification.....6 points

(2) Reckless operation (§24 of Act No. 94-652, §33-5-70).....6 points

(3) Careless operation (§24 of Act No. 94-652, §33-5-70).....5 points

[Note: §29(j)(7) of Act NO. 94-652 [§33-5-75] provides that convictions within a twelve (12) month period of time upon 3 charges of either (2) or (3) above shall result in the mandatory revocation of the boater safety certification or vessel operating privilege. In addition §29(k)(5) of Act No. 94-652 [§33-5-75] provides that habitual violations of either (2) of (3) above may result in the suspension of the boater safety certification or vessel operating privilege.]

(4) Failure to comply with waterway rules of the road (Rule 220-6-.07).....4 points

(5) Restricted view of operator (§25 of Act No. 94-652, §33-5-71).....4 points

(6) Non-compliance with waterway traffic control devices (buoys/signs).....3 points

(7) Failure to submit accident report as required in §33-5-25, Code of Ala. 1975.....3 points

(8) All safety equipment violations.....2 points

(b) The following schedule is used to determine the length of a suspension period:

12-14 Points in a 2-year period.....60 days

15-17 Points in a 2-year period.....90 days

18-20 Points in a 2-year period.....120 days

21-23 Points in a 2-year period.....180 days

24 and above points in a 2-year period....365 days

(c) Any person who is assessed points as provided for above shall be subject to the suspension of their boater safety certification for such period of time as provided for above.

(d) After a conviction is 2 years old, it loses it point count for suspension purposes but remains on the operator's record.

(e) Action taken by the Department of Conservation and Natural Resources pursuant to the point system provided for herein shall be in accordance with the procedural requirements of §29 of Act No. 94-652 and §33-5-75, Code of Ala. 1975.
Author: James D. Martin
Statutory Authority: Code of Ala. 1975, §33-5-62; §15 of Act No. 94-652 (Regular Session, 1994).
History: **New Rule:** Filed July 11, 1995; effective August 16, 1995.

220-6-.30 Examination For Boat Operator's Certification.

(1) The examination or test to be given applicants for boat operator's certification shall be of similar length and content as the motor vehicle driver license examination. The method and manner of giving the test and of ascertaining and reporting the results shall also be similar to the procedure followed for the motor vehicle driver license examination. Reports of all examinations shall be on forms provided by the Director of Public Safety and shall show whether or not the applicant passed the examination.

(2) The written examination used for testing applicants shall contain approximately 25 multiple choice questions. The examination shall be in at least four (4) different forms, which shall be utilized on a rotating basis. The general subject areas covered on the examination shall consist of the following areas:

(a) Knowledge of equipment requirements, such as PFDs, fire extinguishers, emergency cut-off switch, navigation lights, flame arrestors, Alabama regulations, sound devices, diver's flags, ventilation, mufflers, and other equipment;

(b) Knowledge of safe operation and waterway rules of the road, including such matters as operator awareness, overloading and overpowering, speed regulations, motorboat operator's age, reckless and careless operation, personal watercraft, DUI, operator's restricted vision, rules of the road, interference with navigation, rearview mirrors for personal watercraft, vehicular homicide, water skiing, and other related matters;

(c) Aids to navigation, including such matters as uniform state waterway marking system, federal waterway marking system, and other related matters; and

(d) Boating accidents, including such matters as requirements for submitting accident reports, and other related matters.

Author: James D. Martin
Statutory Authority: Code of Ala. 1975, §33-5-53; §6 of Act No. 94-652 (Regular Session, 1994).
History: **New Rule:** Filed July 11, 1995; effective August 16, 1995.

220-6-.35 Boater Safety Certification/Vessel Operating Privilege Suspension Period Guidelines - Section 33-5-75(k).

(1) Under Section 33-5-75, Code of Ala. 1975, paragraph (k), the Commissioner of Conservation and Natural Resources may suspend the certification or operating privilege of a vessel operator without preliminary hearing upon a showing by its records or other sufficient evidence that the operator did the following:

"§33-5-75...

"(k)...

"(1) Has committed an offense for which mandatory revocation is required upon conviction.

"(2) Has been convicted of any offense under Section 32-5A-191.3 which provides for suspension.

"(3) Has been convicted of any offense of any law or regulation which provides for suspension.

"(4) Has been convicted with frequency of serious offenses against boating or vessel operation laws or regulations governing the movement of vessels as to indicate a disrespect for boating or vessel operation laws and a disregard for the safety of other persons on the waters of this state.

"(5) Is an habitually reckless, careless, or negligent operator of a vessel, established by a record of accidents, or by other evidence.

"(6) Is incompetent to operate a vessel.

"(7) Has permitted an unlawful or fraudulent use of certification.

"(8) Has committed an offense in another state which if committed in this state would be grounds for suspension or revocation.

"(9) Has been convicted of fleeing or attempting to elude a marine police officer.

"(10) Has violated a restricted boater safety certification pursuant to Section 33-5-61."

(2) Subject to the provisions of Section 33-5-75, Code of Ala. 1975, the following suspension period guidelines are established for the matters referred to in subparagraphs (1) - (10) of paragraph (k) of Section 33-5-75, listed in paragraph (1) above:

(a) For §33-5-75(k)(1), during the pendency of any proceeding for an offense for which mandatory revocation is required upon conviction;

(b) For §33-5-75(k)(2), the mandatory suspension period provided for under Section 32-5A-191.3;

(c) For §33-5-75(k)(3), as determined by the Commissioner of Conservation and Natural Resources, consistent with said law or regulation and, if applicable, with the provisions of Rule 220-6-.29, entitled "Point System/Operation of Vessels";

(d) For §33-5-75(k)(4), 90 days;

(e) For §33-5-75(k)(5), 90 days;

(f) For §33-5-75(k)(6), during the period of incompetency;

(g) For §33-5-75(K)(7), 90 days;

(h) For §33-5-75(k)(8), as determined by the Commissioner of Conservation and Natural Resources based on the applicable period of suspension had the offense occurred in Alabama;

(i) For §33-5-75(k)(9), 90 days; and

(j) For §33-5-75(k)(10), 60 days.

(3) Action taken by the Department of Conservation and Natural Resources pursuant to the provisions contained herein shall be in accordance with the procedural requirements of Section 33-5-75, Code of Ala. 1975.

Author: Riley Boykin Smith
Statutory Authority: Code of Ala. 1975, §33-5-62.
History: New Rule: Filed October 25, 1999; effective November 29, 1999.

220-6-.36 Idle Speed Zones For Certain Gulf Waters.

There is hereby established in "idle speed zone" for all motorized vessels operated within the following areas: (1) from the shoreline of the Gulf of Mexico to the southernmost edge of the first sand bar located seaward of the shoreline in that area, extending from the Florida line westward beyond Fort Morgan to the westward end of the island; provided however, such area shall not include the area of Perdido Pass south of the bridge; and (2) from the south shoreline of Dauphin Island southward for a distance of 100 yards from the shoreline in that area, extending from Ft. Gaines westward to the end of the island. It shall be unlawful to operate any motorized vessel, including personal watercraft, in excess of idle speed within the above-described "idle speed zones." For the purposes of this regulation, "vessel" is defined as provided in §33-5-3, Code of Ala. 1975, and "personal watercraft" is defined as provided in §33-5-51, Code of Ala. 1975, and "idle speed" is hereby defined as the slowest speed at which a said vessel or watercraft can be operated and maintain steerage. The penalty for the violation of this regulation shall be a Class C misdemeanor as provided by §33-5-62, Code of Ala. 1975.
Author: Riley Boykin Smith
Statutory Authority: Code of Ala. 1975, §§33-5-62, 33-5-73.
History: New Rule: Filed August 10, 2000; effective September 14, 2000.

220-6-.50 Securing Of Marine Sanitation Devices.

(a) It shall be unlawful for any person to operate a recreational vessel or residence boat on the waters of this state where the discharge of treated or untreated sewage is prohibited unless the operator secures each Type I and Type II Marine Sanitation Device (MSD) in a manner which prevents discharge of treated or untreated sewage. Acceptable methods of securing the device include:

1. Closing the seacock and removing the handle;

2. Padlocking the seacock in the closed position;

3. Using a non-releasable wire-tie to hold the seacock in the closed position; or

4. Locking the door to the space enclosing the toilets with a padlock or door handle key lock.

(b) It shall be unlawful for any person to operate a recreational vessel or residence boat on the waters of this state where the discharge of untreated sewage is prohibited unless the operator

secures each Type III Marine Sanitation Device (MSD) in a manner which prevents discharge of sewage. Acceptable methods of securing the device include:

1. Closing each valve leading to an overboard discharge and removing the handle;

2. Padlocking each valve leading to an overboard discharge in the closed position; or

3. Using a non-releasable wire-tie to hold each valve leading to an overboard discharge in the closed position.

(c) Any person violating any of the provisions of this regulation shall be punished as provided by §33-6A-8, Code of Ala. 1975.
Author: M. Barnett Lawley
Statutory Authority: Code of Ala. 1975, §33-6A-2.
History: New Rule: Filed August 10, 2006; effective September 14, 2006.

Penalty: As provided by Code of Ala. 1975, §33-6A-8.

220-6-.52 Prohibition Of Certain Lights.

(a) No vessel equipped with a flashing, rotating, or oscillating blue light may be operated on the waters of this state except lawfully authorized law enforcement vessels.

(b) Any person violating any of the provisions of this regulation shall be punished as provided by §33-5-62, Code of Ala. 1975.
Author: M. Barnett Lawley
Statutory Authority: Code of Ala. 1975, §33-5-62.
History: New Rule: Filed August 10, 2006; effective September 14, 2006.

Penalty: As provided by Code of Ala. 1975, §33-5-62.

220-6-.53 Refusal To Submit To Inspection.

(a) Section 33-5-11, Code of Ala. 1975, requires a certificate of registration to be available at all times for inspection on the vessel for which issued whenever the vessel is in operation. Section 33-5-22, Code of Ala. 1975, requires every vessel while being operated on the waters of this state to be equipped with the reasonable safety devices and lights as may be required under regulations promulgated by the Commissioner of Conservation and Natural Resources. Section 33-5-52, Code of Ala. 1975, requires persons, except those specifically exempted by statutory enactment, to procure a boater safety certification before

operating a motorized vessel upon the waters of this state. Section 33-6A-8, Code of Ala. 1975, permits the inspection of recreational vessels or residence boats for compliance with Sections 33-6A-1 through 9, Code of Ala. 1975, and department rules promulgated thereunder at any time if there is probable cause to believe that a violation has occurred.

(b) Any person who refuses to allow inspection of the certificate of registration or boater safety certification described above, or who refuses to allow inspection of a vessel for the purposes of determining compliance with the reasonable safety devices and lights requirement described above, shall be in violation of this regulation and shall be punished as provided by §33-5-62, Code of Ala. 1975.

(c) Any person who refuses to allow the inspection of a vessel or residence boat for determining compliance with Sections 33-6A-1 through 9, Code of Ala. 1975, and department rules promulgated thereunder described above, shall be in violation of this regulation and shall be punished as provided by §33-6A-8, Code of Ala. 1975.
Author: M. Barnett Lawley
Statutory Authority: Code of Ala. 1975, §§33-5-62, 33-6A-2.
History: New Rule: Filed August 10, 2006; effective September 14, 2006.

Penalty: As provided by Code of Ala. 1975, §§33-5-62, 33-6A-8.

220-6-.54 Bird Island/Walker Island Vessel Restriction.

(a) It shall be unlawful to operate a motorized vessel in the area designated by a series of signs erected adjacent to Bird Island and adjacent to Walker Island in the Perdido Pass/Bayou St. John area of Baldwin County. Vessels utilizing this area must either be paddled or push poled.

(b) Any person violating any of the provisions of this regulation shall be punished as provided by §33-5-62, Code of Ala. 1975.
Author: M. Barnett Lawley
Statutory Authority: Code of Ala. 1975, §33-5-62.
History: New Rule: Filed May 13, 2009; effective June 17, 2009.

Penalty: As provided by Code of Ala. 1975, §§33-5-62, 33-6A-8.

220-6-.55 Lake Permit Regulation.

(a) This regulation is adopted to comply with the provisions of Act 2006-398, Acts of Alabama and §33-6A-3.1, Code of Ala. 1975. The act requires the Department of Conservation and Natural

Resources to adopt rules authorizing the use of vessels otherwise prohibited by the act in the following circumstances:

(1) Vessels needed for use on a temporary basis;

(2) Houseboats [defined in the act as either

(a)"residence boats", defined in Section 33-6A-1(6) as "any structure used primarily for habitation located on any waters in the state, floating or supported totally or partially on pilings" or

(b) recreational vessels that constitute a fully equipped dwelling similar in content to a mobile home, with a marine sanitation device, galley, and sleeping quarters)] that were licensed and in use on July 1, 2006, provided, that they meet all applicable standards for sewage discharges, are moored at a marina or other facility with a certified pump-out station or other approved means of sewage disposal, and are inspected annually; or

(3) Boats exceeding 30 feet 6 inches in length [not to include any boat covered by subdivision (2) of subsection (a) of the act] that was licensed and in use or that was on site and available for sale at a marina located on one of the lakes referenced in subsection (a) of the act on July 1, 2006.

(b) The owner of a vessel that may be permitted must submit an application that can be obtained from the Marine Police Division along with the appropriate fee to the Marine Police Division Headquarters. Except as otherwise provided herein for those vessels referred to in (a)(1) above, to meet requirements for approval, the owner must submit: (1) proof that the vessel was in compliance with the boat registration laws of the State of Alabama on or after July 1, 2003 but not later than July 1, 2006, and that the vessel was placed in the water of the particular lake, or was in storage at or adjacent to the particular lake, at some point on or after July 1, 2003 but not later than July 1, 2006; OR (2) [Applicable to boats referred to in (a)(3) above only] proof that the boat was on site and available for sale at a marina located on one of the subject lakes on July 1, 2006. Proof can be in the form of previous registration certificates, marine rental agreements, dealer invoices, past MSD inspections, or other proof that can be authenticated. Once originally approved, two stickers bearing lake-specific markings and a permit will be mailed to the applicant. The permit shall expire on December 31 each year and must be renewed annually by the vessel owner by mailing in the appropriate fee and an application for an approved vessel that can be obtained from the Marine Police Division. An approved vessel will

not have to replace the decal each year but must obtain a valid permit. A valid permit must be onboard any vessel that is required to be permitted and such permit must be readily available for inspection.

(c) Act 2006-398, Acts of Alabama and §33-6A-3.1, Code of Ala. 1975, state that "recreational vessels greater than 26 feet 11 inches in length and rated by the manufacturer for or capable of a top speed in excess of 60 miles an hour shall be prohibited."

(1) Any vessel greater than 26 feet 11 inches in length referenced by this act that is witnessed by an enforcement officer to be exceeding 60 miles an hour shall be on the first offense issued a warning for being illegally operating on the lake and must not operate upon the lake until such time that the boat owner is able to provide written proof to the Marine Police Division that the vessel has been altered so that such vessel is incapable of a top speed in excess of 60 miles per hour. Such written proof must be notarized and signed by a manufacturer certified marine mechanic or technician, currently certified, stating what modifications were made to the vessel and that such modifications will make the vessel permanently incapable of exceeding 60 miles an hour. If written proof of modifications of the vessel (to assure that the vessel is permanently incapable of exceeding 60 miles per hour) is not received within 90-days of the date of warning, such vessel shall be considered in violation of Act 2006-398, Acts of Alabama and §33-6A-3.1, Code of Ala. 1975.

(2) Any vessel that has received a written warning and provided documentation that the vessel has been altered to make the vessel permanently incapable of exceeding 60 miles an hour that is witnessed by an enforcement officer to be exceeding 60 miles an hour shall be considered in violation of Act 2006-398, Acts of Alabama and §33-6A-3.1, Code of Ala. 1975.

(3) Any vessel which is otherwise determined to be rated by the manufacturer for or capable of a top speed in excess of 60 miles an hour shall be considered in violation of Act 2006-398, Acts of Alabama and §33-6A-3.1, Code of Ala. 1975.

(d) **Definitions of Certain Terms:** For the purposes of the administration and enforcement of Act 2006-398, Acts of Alabama and §33-6A-3.1, Code of Ala. 1975, the following terms shall be defined as follows:

(1) **"Licensed on the effective date of this section"** - Vessels complying with the boat registration laws of the State of Alabama on or after July 1, 2003 but not later than July 1, 2006.

(2) **"In use on the effective date of this section"** - The vessel was placed in the water of the particular lake, or was in storage at or adjacent to the particular lake, at some point on or after July 1, 2003 but not later than July 1, 2006.

(3) **"Recreational vessel that constitutes a fully equipped dwelling similar in content to a mobile home"**- A recreational vessel that has at least one dedicated sleeping area similar to that sleeping area in a mobile home, has a galley (which shall include a stove, refrigerator, and a sink), and has a marine sanitation device. Cuddy cabin boats are specifically excluded from this definition.

(e) **Permits for Vessels on Lake Harris (Lake Wedowee), Lake Martin, and Weiss Lake.** Permits shall be issued on a "per lake" basis. Permits shall be issued on or about January 1, 2009, or as soon as reasonably practical thereafter. The cost of each annual permit shall be $45.00. The cost for temporary permits shall be $10.00 per day. Permits for vessels may be transferred from one vessel owner to another for a permit transfer fee of $25.00. [Informational Note: Marine Sanitation Inspections required under §33-6A-6, Code of Ala. 1975, are conducted at no additional charge until October 1, 2008.] All vessels required to be permitted must have such permit on board the vessel prior to operation on or after March 1, 2009.

(f) **Method of Measurement of Length** - For the purposes of the administration and enforcement of Act 2006-398, Acts of Alabama and §33-6A-3.1, Code of Ala. 1975, the length of vessels shall be determined by measuring the straight line distance from the bow to the lowest part of the transom, excluding bowsprits, outboard motor brackets, rudders, or other attachments, and excluding any swim platforms whether molded into the hull construction or otherwise. Notwithstanding the foregoing, the length of the vessel as shown on the current vessel registration shall be prima facie evidence of the length of the vessel for the purposes of the administration and enforcement of Act 2006-398, Acts of Alabama and §33-6A-3.1, Code of Ala. 1975.

(g) **Determination of Temporary Need for Vessel Use** - Determinations for any temporary need for use of vessels otherwise prohibited by the act shall be made on a case-by-case basis by the Commissioner of Conservation and Natural Resources, after receipt of written applications detailing the

particular need and the nature and length of the proposed use of the vessel.

(h) **Advisory Opinions Regarding Compliance** – Persons with uncertainty as to compliance with the provisions of this regulation and/or with Act 2006-398, Acts of Alabama and §33-6A-3.1, Code of Ala. 1975, may obtain written advisory opinions from the Commissioner of Conservation and Natural Resources.

(i) The penalty for the violation of any provisions of this regulation shall be as provided by Section 33-6A-8, Code of Ala. 1975.

Author: M. Barnett Lawley
Statutory Authority: Code of Ala. 1975, §33-6A-3.1.
History: **New Rule:** Filed May 22, 2007; effective June 26, 2007.
Amended: Filed July 25, 2008; effective August 29, 2008.
Amended: Filed May 13, 2009; effective June 17, 2009.

220-6-.59 Closure To Vessels And Watercraft – Portion Of Gulf Waters Adjacent To Certain Pier.

Effective immediately, unless otherwise authorized by the Department of Conservation and Natural Resources, and until further official notification by the Commissioner of Conservation and Natural Resources, the following waters shall be closed to the operation of all vessels and watercraft: Those waters of the Gulf of Mexico within a distance of 100 yards of any saltwater fishing pier operated by the State of Alabama, Department of Conservation and Natural Resources, or its authorized agent.

Any person violating any of the provisions of this regulation shall be punished as provided by Code of Ala. 1975, §33-5-62.
Author: M. Barnett Lawley
Statutory Authority: Code of Ala. 1975, §33-5-62.
History: **New Rule:** Filed April 23, 2008; effective May 28, 2008.
Amended: Filed December 4, 2009; effective January 8, 2010.

220-6-.60 Disposal Of Trash, Garbage, Or Plastics From A Vessel.

(1) It shall be unlawful for any person to do or attempt any of the following from a vessel: to discharge overboard, or place in or upon the waters of the state, any trash, garbage, or plastics. Such items must be taken to shore and legally disposed of on land.

(2) All vessels shall have on board a container or storage compartment for the proper disposal of trash, garbage, or plastics. Such container or storage compartment shall assure that

such waste, trash or plastics cannot be inadvertently blown overboard.

(3) All vessels shall have a container or bag that is appropriate for moving trash, garbage or plastics to shore for legal disposal.
Author: M. Barnett Lawley
Statutory Authority: Code of Ala. 1975, §33-5-62.
History: **New Rule:** Filed May 14, 2010; effective June 18, 2010.

220-6-.61 Marine Sanitation Device (MSD) Inspections And Appointment Of Special Agents.

(1) Effective October 1st, 2008, the Department of Conservation and Natural Resources will designate special agents to conduct annual inspections on those vessels and residence boats required to be inspected by §33-6A-6, Code of Ala. 1975. These special agents will be required to have the following credentials as recognized by the ADCNR:

(a) The special agent must possess a Federal Tax Identification Number/EIN.

(b) The special agent must possess the applicable business licenses required by the county and/or municipality where they are headquartered.

(c) The special agent must be bonded for a minimum of $10,000 indemnity.

(d) The special agent must receive initial training designated or provided by the Marine Police Division of the Department of Conservation and Natural Resources for the proper recognition and technical understanding of marine sanitation devices, to be followed by periodic refresher certification as outlined by Marine Police Division policy.

(e) The special agent must contractually agree to abide by all policies and procedures established by the Marine Police Division.

(2) The Marine Police Division will provide inspection forms and decals to the special agent for conducting the inspections.

(a) All forms and fees required in this regulation must be filed with the Marine Police Division by the 10th day of the following month. The forms must include the following and any other information specified by the Director of the Marine Police Division:

1. MSD permit applicant’s name, physical address, and permit number issued;

2. special agent's signature;

3. vessel/residence boat owner or agent's signature;

4. vessel registration number or Federal documentation number;

5. date of inspection;

6. vessel/residence boat location;

7. boat name (if applicable);

8. type of device inspected;

9. decal number issued.

(b) INSPECTION FEES FOR INSPECTIONS BY SPECIAL AGENTS: The annual inspection fee for inspections conducted by special agents will be $10 per vessel, which amount shall be remitted by the special agent to the Marine Police Division as provided for herein. In addition, the special agent may charge up to a $40 service fee per vessel (which amount may be retained by the special agent) so that the total price of the annual MSD inspection conducted by the special agent will not exceed $50 maximum for the vessel/residence boat owner.

(c) The Director of the Marine Police Division or other persons as designated for such purposes shall have the power and authority to inspect and examine the books, records, decals, ledgers, and any other paperwork or records of any type, relating to the special agent's inspections, at any reasonable time during regular business hours.

(3) The Department of Conservation and Natural Resources may cancel the authorization of the special agent to conduct inspections at any time, when it, in its sole discretion, determines that such cancellation is in the best interest of the State. Upon such cancellation, the special agent shall immediately: (a)remit all amounts owed and (b) return all forms, records, books, and decals, to the Marine Police Division

(4) INSPECTION FEES FOR INSPECTIONS BY ADCNR PERSONNEL: The annual inspection fee for inspections conducted by personnel of the Department of Conservation and Natural Resources will be $50 per vessel.

Author: M. Barnett Lawley
Statutory Authority: Code of Ala. 1975, §33-6A-2.
History: **New Rule:** Filed November 20, 2008; effective December 25, 2008.

220-6-.62 Old River/Rabbit Island Vessel Restrictions.

(a) It shall be unlawful to operate a combustible engine on a vessel in the area designated by a series of signs erected in the vicinity of Rabbit Island and Ono Island in Old River south of Ono Island in Baldwin County. In designated area all vessels equipped with internal combustion motors (e.g.: gasoline or diesel motors) for propulsion must turn off the internal combustion motor and, if possible to do so, tilt or raise the internal combustion motor out of the water. The use of electric motors is not prohibited.

(b) Any person violating any of the provisions of this regulation shall be punished as provided by §33-5-62, Code of Ala. 1975.
Author: M. Barnett Lawley
Statutory Authority: Code of Ala. 1975, §33-5-62.
History: **New Rule:** Filed April 8, 2010; effective May 13, 2010.

Penalty: As provided by Code of Ala. 1975, §§33-5-62.

220-6-.63 Three Mile Creek Vessel Restrictions.

(a) It shall be unlawful to operate a vessel with a combination engine (gasoline or diesel powered) in the following area in Mobile County: from the headwaters of Three Mile Creek, to the railroad bridge at Telegraph Road. This prohibition shall not apply to law enforcement, government, or emergency vessels.

(b) Any person violating any of the provisions of this regulation shall be punished as provided by §33-5-62, Code of Ala. 1975.
Author: N. Gunter Guy, Jr.
Statutory Authority: Code of Ala. 1975, §33-5-62.
History: **New Rule:** Filed September 21, 2012; effective October 26, 2012.

Penalty: As provided by Code of Ala. 1975, §§33-5-62.